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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,005	08/17/2001	Robert W. Scheifler	6502.0113-01	2982

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2161

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/931,005	SCHEIFLER ET AL.	
	Examiner	Art Unit	
	Etienne P LeRoux	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Claims Status:

Claims 28-89 are pending. Claims 1-27 have been cancelled. Claims 28-89 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 28-33, 37-41, 43-51, 54-59, 61-64, 71-73, 75 and 76 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,757,729 issued to Devarakonda et al (hereafter Devarakonda).

Claims 28, 37, 44, 45, 46, 49, 55, 62, 63, 71 and 75:

Devarakonda discloses:

receiving a request from a client by the lookup service for access to one of the network services, the client being remote with respect to the lookup service [Fig 1]

returning by the lookup service a resource locator to the client, the resource locator including data for dynamically loading executable code for accessing the one network service [Fig 4, print stub, fax stub, mail stub, col 4, lines 12-65, VEM/VES is downloaded, APs/applets are downloaded,]

providing by a second network service that is initially inaccessible through the lookup service, information to the lookup service to enable the second network service to be accessible through the lookup service [Fig 1, 104(1)-104(3)]

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Claims 29, 38, 47 and 56 and 72:

Devarakonda discloses using the returned resource locator to dynamically load executable code to facilitate access of the one network service [Figs 1 and 4]

Claims 30, 39, 41, 43, 48, 51, 54, 57, 59:

Devarakonda discloses accessing the network service by the client using the dynamically loaded executable code [Figs 1 and 4]

Claims 31, 64, 73 and 76:

Devarakonda discloses wherein the step of returning a resource locator includes the step of returning the stub information to the client [col 4, lines 10-25]

Claims 32, 50 and 58:

Devarakonda discloses using the resource locator in the client to dynamically load executable code for the stub [Fig 1]

Claims 33, 40 and 61:

Devarakonda discloses accessing the network service by the client using the dynamically loaded executable code [col 4, lines 20-40]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34, 35, 36, 42, 52, 53, 60, 65-70, 74 and 78-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devarakonda in view of US Pat No 5,675,804 issued to Sidik et al (hereafter Sidik)

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Claims 34, 52 and 74:

Devarakonda discloses the elements of claim 28 as noted above but does not disclose returning smart locator information to the client. Sidik discloses returning smart information to the client [col 5, lines 45-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Devarakonda to include returning smart locator information to the client as taught by Sidik for the purpose of enable the stored procedure to be called by a remote computer [col 5, lines 45-55].

Claims 35 and 53:

The combination of Devarakonda and Sidik discloses the elements of claims 28 and 34 as noted above and furthermore discloses using the resource locator in the client to dynamically load executable code for the smart proxy [Figs 1 and 4]

Claims 36 and 65:

The combination of Devarakonda and Sidik discloses the elements of claims 28, 34 and 35 as noted above and furthermore, discloses accessing the network service by the client using the dynamically loaded executable code [Figs 1 and 4]

Claims 42, 60, 69 and 70:

The combination of Devarakonda and Sidik discloses the elements of the claimed invention as noted above and furthermore, discloses receiving smart proxy information and using the resource locator to dynamically load executable code for a smart proxy [col 5, lines 45-55]

Claim 66:

The combination of Devarakonda and Sidik discloses the elements of the claimed invention as noted above and furthermore, discloses receiving the request to access the one network service such that the one network service is identified by a type of service [Figs 1 and 4]

Claims 67 and 68:

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The combination of Devarakonda and Sidik disclose the elements of the claimed invention as noted above and furthermore, Schnier discloses receiving the request to access the one network service such that the one network service is identified by a service identification number [Figs 1 and 4]

Claims 78-89

The combination of Devarakonda and Sidik discloses the elements of the claimed invention as noted above and furthermore, examiner maintains the combination of Devarakonda and Sidik discloses the elements of claims 78-89 based on supra rejection of the claim elements.

Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Devarakonda and Sidik and further in view of US Pat No 5,966,435 issued to Pino (hereafter Pino).

Claim 77:

The combination of Devarakonda and Sidik discloses the elements of the claimed invention as noted above but does not disclose returning a null value if no service is found. Pino discloses providing a null value if no service is found from any provider [col 8, lines 1-5]. It would have been obvious to one of ordinary skill in the art at the time the invention was to modify the above combination of references to include returning a null value if no service is found based on the teaching of Pino for the purpose of indicating that a device has been removed from service [col 8, lines 1-5].

Response to Arguments

Applicant's arguments filed 6/13/2006 have been fully considered but are moot based on above new grounds of rejection necessitated by Applicant's claim amendments.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00am and 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

July 24, 2006

A handwritten signature in cursive script that reads "Et LeRoux".

Primary Examiner